

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F051924 People v. Lamon

The above entitled case having been transferred from the Supreme Court with directions to vacate our opinion and reconsider the cause, and supplemental briefing having been received from the parties, the cause is submitted for decision pursuant to California Rules of Court, rule 8.256(d)(2).

F051924 People v. Lamon

Appellant's conviction of the substantive offense (4501.5) and the true findings on prior prison term enhancements, and the true findings on the attempted murder and murder prior "strike" convictions, are affirmed. The true finding on the aggravated assault prior "strike" conviction is reversed. The sentence imposed is reversed. The matter is remanded to the trial court for further appropriate proceedings upon the conclusion of which the trial court shall prepare and serve as appropriate an amended abstract of judgment.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054060 People v. Young

The judgment is affirmed. Ardaiz, P.J.

We concur: Vartabedian, J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055341 People v. Cooper

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F055341 People v. Cooper**
The judgment is reversed and remanded to the superior court with directions.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F052637 People v. Diaz, Jr.**
Filed order modifying opinion and denying rehearing. (no change in judgment). Vartabedian, Acting P.J.
We concur: Cornell, J.; Kane, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F054326 People v. Yang**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F054326 People v. Yang**
The judgment is affirmed with modifications.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F054133 People v. Styles**
The judgment is affirmed. Dawson, J.
We concur: Wiseman, Acting P.J.; Hill, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F055207 Yang v. Lee**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
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IN AND FOR THE
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F055207 Yang v. Lee

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F053534 People v. Charles, Jr.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F054609 Pine Terrace Apartments, L.P. v. Windscape, LCC et al.,

The judgment in favor of cross-defendants Western, Avila Cement, and Weber Iness Associates is reversed. The matter is remanded to the superior court for further proceedings and with directions to (1) vacate its July 20, 2007, order granting cross Defendants motions for summary judgment and (2) vacate its orders granting the motions of Avila Cement and Weber-Iness Associates for attorney fees and costs pursuant to section 1038. Plaintiff and defendants/cross-complainants shall recover their costs on appeal. Dawson, J.

We concur: Levy, Acting P.J.; Hill, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F055060 Sasso v. Spaeth

The judgment is affirmed. Plaintiff shall recover his costs on appeal. Dawson, J.

We concur: Levy, Acting P.J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]